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08 Civ. 1721 (LAP)

ORDER

Defendant.

LORETTA A. PRESKA, U.S.D.J.

SO ORDERED:

Loretta A. Preska  
LORETTA A. PRESKA, U.S.D.J.

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March 26, 2008

**VIA FIRST CLASS MAIL**

The Honorable Loretta A. Preska  
United States District Judge  
for the Southern District of New York  
500 Pearl Street, Room 1320  
New York, NY 10007

RECEIVED

MAR 28 2008

LORETTA A. PRESKA  
U. S. DISTRICT JUDGE  
S. D. N. Y.

Re: Calderon v. The Prudential Insurance Company of America, 08-CV-1721

Dear Judge Preska:

This firm represents Defendant The Prudential Insurance Company of America ("Prudential"). I am writing to request a pre-motion conference in advance of filing a motion to consolidate two actions. As discussed below, the parties, facts and property in issue in this action are the same parties, facts and property in issue in the matter, *The Prudential Insurance Company of America v. Deborah Abramovsky, et. al.*, 08-cv-2841, recently transferred to this Court from the United States District Court of New Jersey. The parties wish to consolidate these two matters; Plaintiff Calderon's counsel does not object to this consolidation.

On January 7, 2008, Plaintiff Orly Calderon filed the instant action in the Supreme Court of New York, Bronx County. Prudential removed the case to this Court on February 21, 2008. Plaintiff's Complaint seeks the proceeds of a life insurance policy issued by Prudential to Abraham Abramovsky, now deceased.

Prudential was aware of competing claims to the proceeds of the policy issued to Abraham Ambramovsky and, on January 10, 2008, while unaware of the suit filed in state court by Plaintiff Calderon, filed an Interpleader Complaint in the United States District Court for the District of New Jersey (the "New Jersey Action"). Prudential sought relief in the form of an order to interplead the proceeds of the policy.

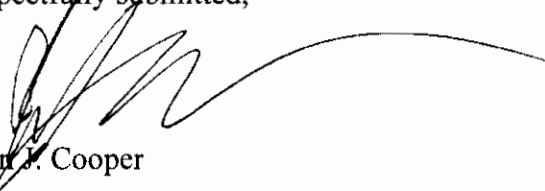
The parties, upon learning of the two actions, stipulated to a transfer of venue of the New Jersey Action to this Court. Judge Harold A. Ackerman signed and entered the stipulation on March 13, 2008, and the Clerk of the Court transmitted a certified copy of the docket to the Clerk of this

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Court on March 14, 2008. This Court has received and docketed the New Jersey Action as *The Prudential Insurance Company of America v. Deborah Abramovsky, et. al.*, 08-cv-2841.

The parties now wish to consolidate these two matters. We are available at the Court's convenience for a pre-motion conference on this matter.

Respectfully submitted,



Ryan J. Cooper

cc: Jules A. Epstein, Counsel for Orly Calderon  
Deborah Abramovsky  
Aviva Abramovsky  
Abba Abramovsky  
Dov Abramovsky  
Ari Abramovsky